

Wisconsin Department of Regulation & Licensing

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DIVISION OF PROFESSIONAL CREDENTIAL PROCESSING

INSTRUCTION PACKET FOR THE PRIVATE DETECTIVE AND/OR PRIVATE SECURITY AGENCY LICENSE

(Note: Both private detective agencies and private security guard agencies are statutorily licensed as a "private detective agency".)

Enclosed are the forms to apply for licensure as a private detective agency or a private security guard agency. The "Application for Private Detective Agency License" (Form #456) is used to apply for a private detective agency and/or private security agency license.

If your agency will provide private detective services, as defined in sec. RL 30.02(12)(a), Wis. Admin. Code, you and anyone you employ who will be providing private detective services must be individually licensed as a private detective before performing those services. Please contact the Department for an "Application for Private Detective License" (Form #469) if you also need to obtain a private detective license.

Owners, partners, corporate officers, or members of a limited liability company are not required to obtain a private detective license if they do not engage in private detective activities as defined in sec. RL 30.02(12), Wis. Admin. Code. They are not required to obtain a private security permit if they do not personally function as a private security person.

Individuals working as uniformed private security persons must obtain a private security permit from the Department. Please contact the Department for an Application for a Private Security Permit (Form #2271) if you need to obtain a private security permit.

No person may advertise, solicit or engage in the business of operating a private detective agency, or act as a supplier of private security personnel until the proper license has been issued by this department. Failure to comply is in violation of sec. 440.26(8), Stats., and is subject to penalties.

An applicant for a private detective/private security agency license must obtain either:

- (a) **A COMPREHENSIVE GENERAL LIABILITY INSURANCE POLICY (with a minimum limit of \$100,000):** If the applicant chooses a comprehensive general liability policy, the applicant must submit an original Certificate of Insurance and Form #1482, entitled STATEMENT CONCERNING LIABILITY INSURANCE FOR PRIVATE DETECTIVE AGENCIES. The comprehensive general liability policy must include coverage for bodily injury liability, property damage and personal injury. The policy must cover all licensed private detectives and private security personnel employed by the agency. If an agency permits anyone associated with it to carry a firearm in the course of duty, it must also have coverage for injury or damage resulting from the use of firearms. NOTE: The "Name of Insured" should be stated exactly as the name under which the Department will license your agency. The "Name and Address of the Certificate Holder" should be stated as follows: Department of Regulation and Licensing, 1400 East Washington Avenue, P.O. Box 8935, Madison, WI 53708-8935.

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IMPORTANT: Insurance liability policies must be obtained from an insurer authorized to do surety business in Wisconsin by the Office of the Commissioner of Insurance. **SURPLUS LINE** insurers **ARE NOT** authorized to do surety business in Wisconsin. Therefore, the Department may only accept insurance from surplus line insurers if the policy has a cut-through endorsement to an authorized insurance company.

OR

- (b) **A \$100,000 BOND:** If the applicant chooses to obtain the \$100,000 agency bond, please complete and return the enclosed bond (Form #1483). In addition, each private detective employed by the agency must be bonded for \$2,000. Photocopy the bond form if additional forms are needed.

INSTRUCTIONS FOR COMPLETING THE APPLICATION

To be eligible to receive a private detective agency license, the following items must be completed and on file in the Department:

1. **Application for Private Detective Agency (form #456):** Complete the enclosed application and attach the appropriate fee. **Every owner of the agency must submit the \$32 fee for a criminal record search in addition to the \$53 fee for the private detective agency license.**
2. **Addendum to Application – Business Entities (form #2552):** Complete the enclosed form and return with your employer identification number (FEIN) unless your agency will be a sole proprietorship and employ only yourself. Employer identification numbers can be obtained from the Department of Revenue at (608) 261-6249.
3. **Convictions and Pending Charges (form #2252):** All applicants will be required to answer questions on the application form about convictions of any crime, other violations and pending charges in Wisconsin or any other state. The Department will obtain a CIB name search (name, date of birth, sex, race, social security number) and an FBI fingerprint search on all applicants. The Department is usually able to obtain a CIB report on the same day an application is received; however, the Department receives FBI criminal record reports within approximately 3 to 6 weeks after sending fingerprints to the FBI. If any applicant was **EVER** convicted of a felony in Wisconsin or any other state and not pardoned, the applicant's application will be denied. There are no exceptions.

If an applicant has been convicted of one or more misdemeanor or other violations or has pending charges and if the Department determines that the crimes or violations are substantially related to the practice of a private detective, the Department will not grant a license until it has received sufficient information to determine whether the license should be granted, denied or limited. It is the responsibility of the applicant to provide complete information to the Department. Applications are deemed complete after submission of all relevant background information by the applicant.

4. **Fingerprint cards:** Submit TWO fingerprint cards, properly completed pursuant to RL 31.03(1)(b), Wis. Admin. Code. If you are a licensed private detective or security guard, you must submit fingerprint cards, unless you were originally licensed within the last 6 months. If so, please indicate this on your application.

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5. **Criminal History Checks Notice:** Provisions set forth in Title 28, Code of Federal Regulations (CFR) Section 16.34, require us to notify you that your fingerprints may be used to check the criminal history records with the FBI. Identification records obtained from the FBI may be used solely for the purpose requested and may not be disseminated outside the receiving department, related agency or other authorized entity. The Department of Regulation and Licensing does not deny a license based on the information in the record itself, but does require the submittal of a criminal complaint and judgment of conviction in any matter which would appear to be cause for denial of a license.

The Authorization for Release of FBI information (form # 2687) must be signed by the applicant and a witness.

6. **Photograph:** Submit ONE current photograph of your head and shoulders only of each owner of the agency. If you are a licensed private detective or security guard, you must submit a photo unless you were originally licensed within the last 6 months. If so, please indicate this on your application.
7. **Corporation, Limited Liability Company, Limited Liability Partnership or Foreign Corporation:** Attach Copy of Approval, Certificate of Authority or Certificate of Registration to do business in Wisconsin from the Wisconsin Department of Financial Institutions, Corporation Division at (608) 261-9555. If your agency will be a sole proprietorship and employ only yourself, this isn't required.
8. **Statement Concerning Liability Insurance for Private Detective Agencies (form #1482):** This form must be completed by your insurer and returned with a copy of the Certificate of Liability Insurance. This proves that you have the required \$100,000 of liability coverage provided through an authorized insurer. Your insurer can verify that your coverage is afforded through an authorized provider by checking oci.wi.gov/dir_ins.htm. If your coverage isn't through an authorized insurer, a cut-through endorsement will be required.
9. **Bond of Private Detective or Private Detective Agency (Form #1483):** This form must be completed if you decide to obtain a \$100,000 bond instead of liability coverage. Each private detective your agency employs will be required to have an additional \$2000 bond.

Wisconsin Statutes and Administrative Rules:

A copy of the Wisconsin Statutes and Administrative Code Relating to the practice of private detectives and private security personnel is available on the web at <http://drl.wi.gov> or at most public libraries. If you wish to purchase a copy, you may purchase a hard print copy from Document Sales, Department of Administration. Information for ordering a codebook may be found at <http://drl.wi.gov/includes/catalog.htm>, by calling Document Sales at 800-362-7253 or 608-264-9419 or by email at docsales@doa.state.wi.us.

The private detective agency license expires on August 31 of the even-numbered year. It may be renewed for a two-year period at that time.

No agency may act as a private detective agency until the proper license has been issued by this Department. Failure to comply is in violation of sec. 440.26(8), Stats., and is subject to penalties.